

**IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD**

THE HON'BLE SRI JUSTICE GOPALAKRISHNA TAMADA

Writ Petition No.9867 of 2004

Dated: 01-08-2007

Between:

M/s. Lakshmi Venkateswara Wines,
Kalikiri, Chittoor District,
rep. by its C. Amarnatha Reddy,
s/o Venkata Subba Reddy.

... Petitioner

and

Prohibition & Excise Superintendent,
Chittoor,
Chittoor District.

... Respondent

ORDER:

Questioning the notice dated 02-06-2004, by which petitioner was asked to pay the differential amount of licence fee of Rs.3,50,000/- , petitioner filed the present writ petition stating that the same is illegal and contrary to Andhra Pradesh Indian Liquor & Foreign Liquor Rules, 1970.

2. Heard learned counsel for the parties.

3. In fact, at the time of issuance of licence, petitioner has given an undertaking that it would pay the differential licence fee amount as and when respondents fix the licence fee on the basis of the population as officially published in the latest Census of 2001 and as the said Census is published, it necessitated the respondents to claim the differential amount. Further, it is also clear that this Court on 29-08-2002 dismissed a batch of writ petitions i.e. W.P.No.5595 of 2002 and batch, wherein the point involved is the same, holding that the department is entitled to collect the differential licence fee basing on 2001 Census. Hence, this Court sees no merits in this writ petition.

4. Accordingly, the writ petition is dismissed. No costs.

JUSTICE GOPALAKRISHNA TAMADA

Dt.01-08-2007
GLV